

**BOARD OF MEDICAL EXAMINERS**  
**ADVISORY COMMITTEE FOR ACUPUNCTURE**  
**MINUTES**

**Date:** March 23, 2004

**Time:** 1:00 P. M.

**Location:** Cumberland Room  
Ground Floor, Cordell Hull Building  
425 Fifth Avenue North  
Nashville, TN 37247

**Members Present:** Judi Harrick, Chair  
Marna McKinney, Consumer Member  
Joyce Perkins, ADS  
Peggy Watson, Co-Chair

**Member Absent:** Yeu-Quang Wong

**Staff Present:** Rebecca Brown, Board Administrator  
Jerry Kosten, Regulations Manager  
Robert Kraemer, Advisory Attorney  
Rosemarie Otto, Executive Director

**Staff Absent:** Marsha Arnold, Unit Manager

A quorum being present, Ms. Harrick called the meeting to order at 1:02 P. M.

**Approval of Minutes**

After reviewing the minutes from the September 9, 2003 meeting as presented, Ms. Watson noticed that the minutes will need to be amended. The Committee for Physicians Assistants needs to be corrected to read as the Advisory Committee for Acupuncture.

The amendment will be made and the September 9, 2003 Minutes will be ratified at the next board meeting on September 7, 2004.

**Division Report**

Nothing to report at this time.

### **Director/Manager Report**

Nothing to report at this time.

### **Office of General Counsel**

Nothing to report at this time.

### **Bureau Office**

A draft was given to the members of the financial report. The Advisory Committee for Acupuncture has a projected cumulative carryover as of the June 30, 2003 of \$863.00.

### **Office of Investigations**

Ms. Lea Phelps of the Office of Investigations informed the Committee that one person is under investigation because of unlawful practice without a license. The Committee will be advised as to the outcome of this investigation when it is completed.

### **Disciplinary Coordinator**

Ms. Lea Phelps informed the Committee there is nothing to report at this time.

### **Rulemaking Hearing Report**

Mr. Jerry Kosten, Regulation Manager, Division of Health Related Boards, held a discussion on the filing of the notice of Rulemaking Hearing regarding the Order Modifications, Order of Compliance and Mandatory Appearance by certificate holders at the end of the disciplinary period. The Rulemaking Hearing was held on December 23, 2003. Ms. Watson made a motion to adopt the rule. Ms. Perkins seconded the motion. The Committee held a roll call vote and the motion passed unanimously.

### **Supporting Legislation to Delete Independent Reviewer (PC 281)**

Mr. Robert Kraemer, Advisory Attorney, held a discussion to consider the support of legislation to delete the independent review of medical records by a designated member. Ms. Harrick made a motion to ask the staff to draft a letter for their signature in support of the legislation of the Public Acts 2003, Chapter NO. 281. Ms. McKinney seconded the motion and the motion passed unanimously.

### **Task Force Meeting**

Ms. Harrick held a discussion about the Task Force Meeting held on November 4, 2003, which composed of several Chiropractic board members and Acupuncture committee members. Ms. Harrick stated that the Board's scope of practice allows a chiropractor to become certified to perform Chiropractic acupuncture in a clinical setting, however, Ms. Harrick stated the

Tennessee Chiropractic Board would promulgate rules requiring 100 hours in acupuncture training.

### **Attorney General's Opinion**

Ms. Otto held a discussion on the letter from Dr. David L Cunningham, President of the Tennessee Board of Medical Examiners, regarding the Attorney General's opinion which is defined in Chapter 6 of Title 63 of the Tennessee Code, Section 63-4-101 (a) and defined by state law T.C.A. 63-6-1001 (2) and (7), may the Chiropractors utilize the word 'acupuncture' in combination with any other descriptive word to describe needle insertion. Ms. Watson made a motion to ratify Ms. Harrick's request for an Attorney General's opinion. Ms. McKinney seconded the motion. The motion passed unanimously.

### **American Association of Oriental Medicine Code of Ethics**

Ms. Harrick held a discussion and review of the American Association of Oriental Medicine Code of Ethics. All the board members were confident in the National Certification Commission for Acupuncture and Oriental Medicine's Code of Ethics which they have adopted. They do not wish to adopt any other Code of Ethics.

### **Nomination and Election of Officers**

Ms. Watson made a motion to nominate Judi Harrick as Chair. Ms. McKinney seconded the motion. The motion carried unanimously.

Ms. Harrick made a motion to nominate Peggy Watson as Co Chair. Ms. McKinney seconded the motion. The motion carried unanimously.

### **File Review and Approval of Applications**

Ms. Watson moved to approve the list of new applications for licensure and Ms. Perkins seconded the motion to ratify. The motion passed unanimously.

### **Special Recognition for Jill McGregor-Kelly**

Ms. Harrick and the Committee members wish to express a heartfelt "Thank You" and special "Recognition" to Jill McGregor-Kelly for the passion, commitment, for her willingness to serve and the contribution she has brought to this Committee since its conception as a board.

### **Noteworthy Information**

There are no new updates at this time to report.

### **Next Meeting**

The next meeting for the Committee is scheduled for September 7, 2004 in the Cumberland Room on the Ground Floor of the Cordell Hull Building at 1:00 P. M.

### **Adjournment**

With no further business, Ms. Harrick made a motion to adjourn. Ms. Watson seconded the motion. The motion carried unanimously. The Committee adjourned at 1:54 P. M.

These minutes were ratified on September 7, 2004

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Peggy Watson, LAC  
Co Chair

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